

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Northern District of New York

UNITED STATES OF AMERICA)

v.)

JACY ZADLO,)

Case No. 1:21-MJ-217-DJS)

Defendant.)

U.S. DISTRICT COURT - N.D. OF N.Y.

FILED

Apr 15 - 2021

AT 2 O'CLOCK 41 MINUTES
John M. Domurad, Clerk

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of January 4, 2021 in the county of Albany in the Northern District of New York the defendant violated:

Code Section
18 U.S.C. § 1591

Offense Description

In that the defendant knowingly recruited, enticed, harbored, transported, provided, advertised, and obtained by any means, in and affecting interstate commerce, a minor under the age of 18 but over the age of 14, specifically a 16-year-old female child ("the Victim"), knowing and in reckless disregard of the fact that the Victim had not attained the age of 18 years and knowing that the Victim would be caused to engage in a commercial sex act, in violation of Title 18, United States Code, Sections 1591(a)(1) and (b)(2).

This criminal complaint is based on these facts:
See Attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

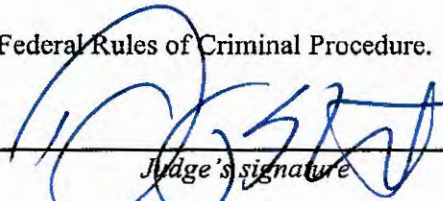
TFO Frederick Horstmyer, FBI

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:

Apr: 15, 2021



Judge's signature

City and State: Albany, New York

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT OF TASK FORCE OFFICER FREDERICK W. HORSTMYER

I, Frederick W. Horstmyer, having been first duly sworn, do hereby depose and state as follows:

1. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) and have been since April 2018. I also serve as an Investigator with the New York State Police (NYSP), Bureau of Criminal Investigation (BCI). I began serving with the NYSP as a Trooper in 2007 and was promoted to Investigator in September 2012. I am currently assigned to the Federal Bureau of Investigation (FBI), specifically the Child Exploitation and Human Trafficking Task Force (CEHTTF) located in Albany, NY. I have investigated a variety of violent crimes. I am currently investigating federal violations concerning child exploitation, sex trafficking and interstate prostitution. I have gained experience regarding such crimes through training classes and everyday work related to conducting these types of investigations.

2. I am an investigative or law enforcement officer of the United States within the meaning of Title 18 United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 1591. As an FBI Task Force Officer, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, including sex trafficking. Specifically, those involving the sex trafficking of minors, in violation of Title 18, United States Code, Section 1591.

3. I make this affidavit in support of a criminal complaint and arrest warrant charging JACY R. ZADLO ("ZADLO"), with sex trafficking of a minor, specifically a 16-year old female ("Victim"), in violation of Title 18, United States Code, Section 1591.

4. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officials, information provided by witnesses, and on my experience and training as an NYSP Investigator and FBI Task Force Officer. As this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that ZADLO violated Title 18, United States Code, Section 1591.

Details of Current Investigation

5. On January 4, 2021, your Affiant was contacted by FBI TFO Christopher Smith who is employed as an Investigator with the Town of Colonie, New York, Police Department. Investigator Smith advised me that members of his agency had responded to a motel on Wolf Road in Colonie, New York in an attempt to locate the Victim after she was reported to have run away from home. Responding officers found the Victim at the hotel in room #176 with ZADLO. TFO Smith further advised me that based upon their initial investigation, the responding officers believe they had encountered an incident of sex trafficking.

6. Members of the CEHTTF interviewed the Victim, in sum and substance, she stated that following. Over the preceding two weeks, while under the direction of ZADLO, the Victim engaged in approximately 10 acts of commercial sex. The Victim sent ZADLO explicit images which were intended to be featured on commercial sex advertising website(s). On January 4, 2021, ZADLO picked up the Victim in a cab before stopping at a diner. Eventually, ZADLO transported the Victim to the motel in an Uber. While there, ZADLO directed the Victim to put on a dress in preparation for a commercial sex appointment. The Victim subsequently engaged in oral sex with the adult male who was observed departing ZADLO's hotel room by responding Colonie Police

Officers. He paid ZADLO \$200.00 for the encounter with the Victim. ZADLO gave the Victim \$50.00 and kept the remaining \$150.00. The Victim had informed ZADLO that she is 16-years old. In response, ZADLO directed the Victim to identify as a 19-year old.

7. Members of the CEHTF and NYSP interviewed the adult male who was observed exiting ZADLO's hotel room. After waiving his *Miranda* rights, he acknowledged having met ZADLO who he knows as "Leah" through a specific commercial sex advertising website. The subject acknowledged that he was at the motel to engage in commercial sex with ZADLO. However, ZADLO informed the subject that she was not available and referred him to the Victim who was present in the room. The subject acknowledged that he placed \$200.00 on a counter and subsequently performed oral sex on the Victim. The incident was interrupted by responding members of the Colonie Police Department knocking on the door.

8. Members of the CEHTTF executed a search warrant on room 176 and seized numerous items of evidence, including United States currency, cellphones, computers, and lingerie. Based upon my training and experience, I have learned the aforementioned items are closely related to prostitution and/or sex trafficking.

9. The NYSP conducted a forensic analysis of the Victim's cellular phone which she indicated was used to communicate with ZADLO. The phone contains a significant amount evidence to corroborate the disclosures made by the Victim as described below. The phone's contact list contains two phone numbers the Victim identified as belonging to ZADLO. Said phone numbers are listed in the Victim's phone as "Jacy" and (Jacy Phone 2). Your Affiant reviewed communications between the Victim's phone and the contact numbers which have been attributed to ZADLO. In sum and substance, those communications corroborate the Victim's disclosures as described below.

- a) On 12/31/2021, the Victim sent a text message to ZADLO (Jacy Phone 2) asking “Where’s the condoms”. ZADLO responds by stating “In the bby thing Below the nightstand where the blue bag is next to the blue bag”.
- b) Between 01/02/2021 and 01/03/2021, the Victim sent multiple images of herself to the ZADLO (Jacy Phone 2) phone that were sexual in nature. Said images are available for the court’s review upon request.
- c) On 01/01/2021, ZADLO (Jacy) sent the Victim a message stating “Listen today's Friday its grind time nobody's going to stop me from making my money no disrespect but this is ridiculous you said you was going to stay until Monday and then you leave after we come to the mall and I buy you stuff you should know your place I don't think that you understand I'm trying to get you right and you're not working with me”.
- d) On 01/02/2021, ZADLO (Jacy) sent the Victim a message stating “Can u send ne (Sic) that booty pic”. In response, the Victim sent ZADLO an image of herself wearing underwear with her buttocks partially exposed.
- e) On 01/03/2021, the Victim sent the ZADLO (Jacy) phone multiple images which depicted her topless.
- f) On 01/01/2021, the Victim received messages from ZADLO’s phone (Jacy Phone 2). The messages are believed to be from ZADLO’s coconspirator and relayed to the Victim by ZADLO. The first message states “Nigga don’t care if u run off but u ran off with my girls shit that the problem.” The second message states, “From now u respond to me not unique nigga go do what u do with ur family be here by 8 if not go find some one else to get money with I’m not with the games and the

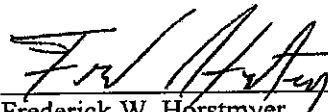
grass is not gonna any greener then this u got till 8 cuz ur post goes up at 830 if ur not available I can't post u that mean no money and that means there's nothing else to talk about." Based on my training and experience, I believe the term "post" means an advertisement for commercial sex.

10. The Victim's communications with ZADLO and her coconspirator(s) include content which demonstrates she is a minor, including references to the Victim's relationship with her family. For instance, on 01/01/2021, the Victim sent a message to ZADLO on (Jacy Phone 2) that said, "I can't talk on the phone I'm with my mom busy rn".
11. As part of this case, I utilized a law enforcement sex trafficking investigation tool to identify commercial sex advertisements on the website referenced above which feature ZADLO. A representative of the website subsequently provided information associated with the user who posted the ads featuring ZADLO. This user, presumably ZADLO, also posted a commercial sex ad dated 12/27/2020, which features images of Victim 1. The ad identified the 16-year old as being 19. The ad offers sexual services to include "Intercourse-Oral" and "Intercourse-Vaginal (FS)" with the payment method listed as "Cash".
12. A representative of the website also provided information regarding the (IP) Internet Protocol Address logs and email address which are associated with the account that posted commercial sex ads featuring the Victim. The account was created with an email address of "yayalove375@gmail.com". As the result of a subpoena, Google identified the recovery email address for said account as "Zadlojacy@gmail.com." In addition, the website provided the IP address which were utilized to assess the suspect account. Specifically, on 12/27/2020, the suspect account was used to post a commercial sex ad featuring the Victim. On that same date, the account was accessed from a specific IP address that I verified is assigned to the motel

where the Victim was recovered. I interviewed the general manager of the motel and she confirmed that ZADLO was a registered guest between 12/02/2020 - 01/06/2021.

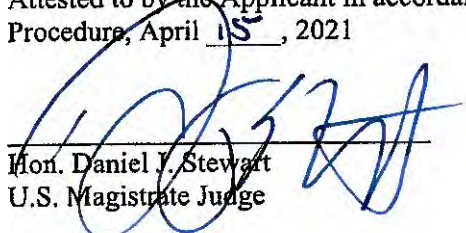
Conclusion

13. Based upon the above information, probable cause exists that ZADLO violated Title 18, United States Code, Section 1591 in that ZADLO knowingly, in or affecting interstate or foreign commerce, did recruit, entice, harbor, transport, provide, and advertise the Victim, knowing and in reckless disregard of the fact that the Victim had not attained the age of 18 years and knowing that the Victim would be caused to engage in a commercial sex act, in violation of Title 18, United States Code, Sections 1591(a)(1) and (b)(2). I request that a criminal complaint be issued pursuant to this violation of federal law.



Frederick W. Horstmyer
Task Force Officer
Federal Bureau of Investigation

Attested to by the Applicant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure, April 15, 2021



Hon. Daniel J. Stewart
U.S. Magistrate Judge